

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Brian A. Kapusta
Shanelle R. Kapusta
aka Shanelle R Ekvovich
Debtor(s)

Bankruptcy Case No.: 12-24289-GLT
Related to Docket No. 96
Chapter: 13
Docket No.: 97 – 96
Concil. Conf.: November 3, 2016 at 09:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **September 19, 2016**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **October 4, 2016**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **November 3, 2016** at **09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: August 3, 2016

cm: All Creditors and Parties In Interest



Gregory L. Taddonio, Judge
United States Bankruptcy Court

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Brian A. Kapusta
 Shanelle R. Kapusta
 Debtors

Case No. 12-24289-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 213

Page 1 of 2
 Total Noticed: 30

Date Rcvd: Aug 03, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 05, 2016.

db/jdb
 cr
 13455977 +Brian A. Kapusta, Shanelle R. Kapusta, 620 Penn High Park Road, Jeannette, PA 15644-2964
 #+SELECT PORTFOLIO SERVICING, INC., 3815 South West Temple, Salt Lake City, UT 84115-4412
 ++ACCOUNT CONTROL TECHNOLOGY, 21700 OXNARD STREET, SUITE 1400, WOODLAND HILLS CA 91367-3636
 (address filed with court: Account Control Techno, 6918 Owensmouth Ave,
 Canoga Park, CA 91303)
 13455978 Bellevernon Financial, Room 105 Tri-County Plaz, Belle Vernon, PA 15012
 13557157 ++COLUMBIA GAS, 290 W NATIONWIDE BLVD 5TH FL, BANKRUPTCY DEPARTMENT, COLUMBUS OH 43215-4157
 (address filed with court: Columbia Gas of PENNSYLVANIA, 200 Civic Center Dr., 11th Floor,
 Columbus, OH 43215)
 13455980 +Coll Recv Sv, 29 Regency Plaza, Glen Mills, PA 19342-1001
 13455981 +Coll Svc Ctr, 839 Fifth Ave, New Kensington, PA 15068-6303
 13455983 Columbia Gas, PO Box 830012, Baltimore, MD 21283
 13455987 +Diversified, Pob 200, Greensburg, PA 15601-0200
 13455988 +Diversified Collection, Po Box 200, Greensburg, PA 15601-0200
 13508714 ECMC, PO Box 16408, St Paul MN 55116-0408
 13455989 +Emc Mortgage, Po Box 293150, Lewisville, TX 75029-3150
 13455990 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
 13455991 +Fmcc, 12110 Emmet, Omaha, NE 68164-4263
 13455993 Nco Fin/55, Po Box 13570, Philadelphia, PA 19101
 13712272 #+Pooling and Servicing Agreement Bear St, Serviced by Select Portfolio Servicing,,
 3815 South West Temple, Salt Lake City, UT 84115-4412
 13557081 +U.S. Bank National Association et al, JPMorgan Chase Bank, N.A., 3415 Vision Drive,
 OH4-7133, Columbus, OH 43219-6009

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13455992 E-mail/Text: ally@ebn.phinsolutions.com Aug 04 2016 01:50:08 National,
 5700 Crooks Rd Ste 301, Troy, MI 48098
 13516562 +E-mail/Text: BANKRUPTCY@ASSETACCEPTANCE.COM Aug 04 2016 01:50:53 Asset Acceptance LLC,
 Po Box 2036, Warren MI 48090-2036
 13455979 +E-mail/Text: banko@berkscredit.com Aug 04 2016 01:50:16 Berks Credit & Colle, Po Box 329,
 Temple, PA 19560-0329
 13455982 +E-mail/Text: bankruptcy@firstenergycorp.com Aug 04 2016 01:51:02 Collection Service Cen,
 839 5th Ave, New Kensington, PA 15068-6303
 13455984 +E-mail/Text: ccusa@ccuhome.com Aug 04 2016 01:50:06 Credit Coll/Usa, Po Box 873,
 Morgantown, WV 26507-0873
 13455986 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Aug 04 2016 01:51:21
 Credit Management Co, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
 13455985 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Aug 04 2016 01:51:21
 Credit Management Co, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
 13547072 +E-mail/PDF: resurgentbknofications@resurgent.com Aug 04 2016 01:43:46
 East Bay Funding, LLC its successors and assigns, as assignee of B-Line, LLC,
 Resurgent Capital Services, PO Box 288, Greenville, SC 29602-0288
 13544542 +E-mail/PDF: resurgentbknofications@resurgent.com Aug 04 2016 01:44:27
 PYOD, LLC its successors and assigns as assignee, of Capital One Bank (USA), N.A.,
 Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008
 13511871 E-mail/Text: ebn@vativrecovery.com Aug 04 2016 01:50:17 Palisades Acquisition IX, LLC,
 Vativ Recovery Solutions LLC, dba SMC, As Agent For Palisades Acquisition IX, L,
 Po Box 40728, Houston TX 77240-0728
 13455994 +E-mail/Text: ebn@vativrecovery.com Aug 04 2016 01:50:17 Palisades Collection L,
 210 Sylvan Ave, Englewood, NJ 07632-2510
 13555952 +E-mail/Text: csidl@sbcglobal.net Aug 04 2016 01:51:23 Premier Bankcard/Charter,
 P.O. Box 2208, Vacaville, CA 95696-8208
 13640169 E-mail/Text: bkdepartment@rtresolutions.com Aug 04 2016 01:51:12
 Real Time Resolutions, Inc., 1349 Empire Central, Suite #150, Dallas, Texas 75247-4029
 TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
 cr U.S Bank National Association et al
 cr U.S. Bank, N.A., successor trustee to LaSalle Bank

TOTALS: 3, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
 While the notice was still deliverable, the notice recipient was advised to update its address with the court
 immediately.

District/off: 0315-2

User: dbas
Form ID: 213

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Total Noticed: 30

Date Rcvd: Aug 03, 2016

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 05, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 3, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com; bkgroup@kmlawgroup.com
Andrew F Gornall on behalf of Creditor U.S. Bank National Association et al
agornall@goldbecklaw.com, bkgroup@goldbecklaw.com; bkgroup@kmlawgroup.com
Danielle Boyle-Ebersole on behalf of Creditor U.S. Bank, N.A., successor trustee to LaSalle
Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I
Trust 2005-HE8, Asset-Backed Certificates Series 2005-HE8 debersole@hoflawgroup.com,
bbleming@hoflawgroup.com
David H. Lipow on behalf of Creditor SELECT PORTFOLIO SERVICING, INC bkecf@milsteadlaw.com,
dlipow@milsteadlaw.com
Edgardo D. Santillan on behalf of Debtor Brian A. Kapusta edscourt@debtlaw.com,
edscourt@gmail.com; 650corpst304bknotbackup15009@gmail.com; eds@debtlaw.com; eds.myecfemail@gmail.co
m
Edgardo D. Santillan on behalf of Joint Debtor Shanelle R. Kapusta edscourt@debtlaw.com,
edscourt@gmail.com; 650corpst304bknotbackup15009@gmail.com; eds@debtlaw.com; eds.myecfemail@gmail.co
m
Matthew Christian Waltdt on behalf of Creditor U.S. Bank, N.A., successor trustee to LaSalle
Bank National Association, on behalf of the holders of Bear Stearns Asset Backed Securities I
Trust 2005-HE8, Asset-Backed Certificates Series 2005-HE8 mwaltdt@milsteadlaw.com,
bkecf@milsteadlaw.com
Matthew Christian Waltdt on behalf of Creditor U.S. Bank National Association et al
mwaltdt@milsteadlaw.com, bkecf@milsteadlaw.com
Office of the United States Trustee ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 10